



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JUL 30 2012

E-19J

REPLY TO THE ATTENTION OF:

Mr. Scott Doig  
Regional Environmental Protection Specialist  
Bureau of Indian Affairs  
Midwest Region  
5600 West American Boulevard, Suite 500  
Bloomington, Minnesota 55437

Re: Comments for the Final Environmental Impact Statement for the Menominee Indian Tribe of Wisconsin's Proposed 223-Acre Fee-To-Trust Transfer and Hotel and Casino Project in the City of Kenosha, Kenosha County Wisconsin. EIS No. 20120210

Dear Mr. Doig:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U. S. Environmental Protection Agency (EPA), Region 5 has reviewed the Final Environmental Impact Statement (EIS) for the Menominee Indian Tribe of Wisconsin's Proposed 223-Acre Fee-To-Trust Transfer and Hotel and Casino Project.

The proposed project is designed to expand the Menominee Tribe's revenue base through gaming, hospitality, and entertainment as authorized under the Indian Gaming Regulatory Act (IGRA). This would allow the Tribal government to provide better services to Tribal members. The revenues from the Casino-Hotel are slated to be used for land purchases, business and community development, and proportionate share allocations to local government in accordance with the Inter-Government Agreement (IGA) between the Tribe and the City of Kenosha.

In our November 21, 2005 comment letter, EPA rated the Draft EIS as "Environmental Concerns-Insufficient Information" or "EC-2." This rating is based upon impacts from the construction and operation of the proposed project and the need for additional information that is required to support the analysis and findings stated within the document. Our Draft EIS comments focused on concerns with air quality, energy and water conservation, as well as the cumulative impact analysis.

After review of the Final EIS, we retain our concerns on the proposed project. The Final EIS lacked current data and air modeling for general conformity with the Wisconsin State Implementation Plan. The project has potential impacts to local air quality. The FEIS would have benefited from overall updated information.

EPA has determined that much of the data in the Final EIS is outdated, having been collected around 2005 or 2006 when the Draft EIS was released. Current data is essential for the Clean Air Act's General Conformity data and modeling requirements, other air quality standards, information pertaining to attainment status, and National Ambient Air Quality Standards data. In order for this

project to comply with requirements for General Conformity with the State Implementation Plan, current and relevant data and information must be presented.

On June 11, 2015, EPA designated a portion of Kenosha County as nonattainment for the 2008 8-hour ozone standard. This project is proposed to be located in Kenosha County. As noted in Appendix L of the Final EIS, the mobile emissions associated with this project are included in the Southeastern Wisconsin Regional Planning Commission's (SEWRPC) 2005-2007 Transportation Improvement Program (TIP) and Regional System Plan (Plan) conformity determinations. BIA should verify that the planning assumptions in the Final EIS are still valid. Specifically, BIA should ensure that mobile source emissions associated with the preferred alternative are documented as being included in the current SEWRPC Transportation Demand Model and Transportation Conformity determination. If the traffic emissions are included in SEWRPC's transportation conformity determination, then they would not count toward the de-minimis calculation for General Conformity. By addressing the applicability analysis and including the proper data to prove that the levels are below the de-minimis "trigger," a separate conformity analysis will not need to be done. Any mitigation that is prescribed to be conducted in order to stay below the de-minimis level should be committed to in the Record of Decision (ROD).

We also have some concerns with the air quality mitigation measures listed in Section 5.2.4. The described methods are outdated. This section should be updated to reflect the implementation of the new federal standards for construction equipment.

Below are a few of the outdated mitigation measures from Section 5.2.4 of the FEIS:

*BMP B. To the extent that equipment and technology are available and cost-effective, the Tribe shall encourage contractors to use catalyst and filtration technologies, such as a diesel oxidation catalyst (DOC), and retrofit existing engines in construction equipment. By adding these technologies to construction equipment, unburned fuel and oil would be oxidized to reduce overall emissions.*

**R5 EPA response** - DOCs are no longer a cost effective measure.

*BMP C. All diesel-fueled engines used in the construction of the project shall use low sulfur diesel fuel containing no more than 500-ppm sulfur or alternative fuels (i.e., reformulated fuels, emulsified fuels, compressed natural gas, or power with electrification). The use of low sulfur fuels with significant reductions in sulfur oxide and particulate matter emissions would be achieved.*

**R5EPA response** - Diesel fuel for non-road construction equipment is currently at 15 ppm sulfur content. This mitigation measure is no longer valid.

*BMP D. All construction diesel engines, which have a rating of 50 hp or more, shall meet, at a minimum, the Tier 2 Emission Standards for Non road Diesel Engines as specified in 40 CFR Parts 9, 86, and 89 unless certified by the on-site Air Quality Construction BMP Manager (AQCBM) that such engine is not available for a particular item of equipment. In the event a Tier 2 engine is not available for any off-road engine larger than 50 hp, that*

*engine shall be a Tier 1 engine. In the event a Tier 1 engine is not available for any off-road engine larger than 50 hp, then that engine shall be a 1996 or newer engine. The AQCBM may grant relief from this requirement for that engine if compliance with this requirement is not feasible.*

**R5EPA response** – The tier values listed above are no longer valid. The current tier values for construction equipment can be found at:

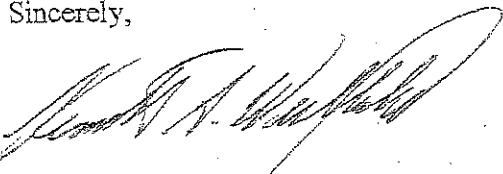
**<http://epa.gov/otaq/standards/nonroad/nonroadci.htm>.**

We ask that this information be addressed and the appropriate requested data be included in the Record of Decision.

Our comments on the Draft EIS asked that a water and energy conservation plan be designed. Such a proposal was included in the Final EIS. EPA commends the efforts of the Tribe and BLA in creating a water and energy conservation plan. Appendix W describes a detailed plan for the project. The Final EIS states that the Tribe plans to designate an Environmental Resource Manager to monitor the implementation of the plan. This plan will focus on aspects of construction, building operation and maintenance, and landscaping for water conservation. For energy conservation, the plan includes design, construction, and building operations and maintenance. While this plan is adequate, the information presented dates back to 2006. The current plan may need to be updated and revised to reflect new technologies for water and energy conservation. Some areas that may be further explored include proper insulation, energy efficient windows, use of natural sunlight, renewable technologies, green roofs, and roof top wind turbines. EPA commends the conservation efforts as described and we recommend that the ROD include commitment for appropriate measures, including the latest relevant technologies for conservation.

We appreciate the opportunity to review the Final EIS. Please send a copy of the ROD once it has been signed to me at the address stated above. If you have any questions or comments, please contact Shanna Horvatin of my staff at (312) 886-7887 or via email at [horvatin.shanna@epa.gov](mailto:horvatin.shanna@epa.gov). For Air Quality questions, please contact Michael Leslie of the Air and Radiation Division at (312) 353-6680 or by e-mail at [leslie.michael@epa.gov](mailto:leslie.michael@epa.gov).

Sincerely,



Kenneth A. Westlake  
Chief, NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

Final EIS Menominee Project

Eloise Mulford to: Kenneth Westlake, Shanna Horvatin

Cc: Kestutis Ambutas, Darrel Harmon

07/16/2012 05:36 PM

Ken,

We took a look at EPA's comments that you provided with the *Final Environmental Impact Statement, Menominee Casino Hotel, 223-Acre Fee-to-Trust Transfer and Casino Project*. We offer the following observations:

- The EPA comments focused on the Clean Air Act General Conformity Rule, energy and water conservation, and cumulative impact analysis.
- We understand the Office of Air and Radiation Division is reviewing the Clean Air Act concerns.
- EPA comment on the energy and water conservation measures are also not under our office's purview.
- EPA requested a more detailed cumulative impact assessment. As you know, developing this type of an assessment is complex and nearly impossible to address without clear guidance on how and on what to conduct an assessment on. Our office is not structured to make scientific environmental determinations.

IEO's purpose is to ensure that any policy determination is consistent with the *U.S. EPA Indian Policy / Guidance* and the *EPA Policy on Consultation and Coordination with Indian Tribes*. In the future, it may be helpful if our office is involved at the beginning of the EPA NEPA process for tribal projects that may require our input.

I will be out of the office for the rest of the week and will return on Monday, July 23, 2012. If you have questions or comments, we can discuss at that time.

Ella Mulford  
U.S. EPA Region 5 - Indian Environmental Office  
77 West Jackson Boulevard, Mail Code R-19J  
Chicago, IL 60604  
(312) 353-2022  
mulford.eloise@epa.gov



Re: BIA\_Kenosha Casino Hotel letter   
Michael Leslie to: Shanna Horvatin

07/25/2012 01:56 PM

Yes. I just noticed that mistake.

---

Michael Leslie, P.E.  
U.S. EPA - Region 5 (AR-18J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
Phone: (312) 353-6680  
Fax: (312) 408-2266

---

---

Shanna Horvatin	Should that say June 11, 2012? ...	07/25/2012 01:53:46 PM
-----------------	------------------------------------	------------------------

---

From: Shanna Horvatin/R5/USEPA/US  
To: Michael Leslie/R5/USEPA/US@EPA,  
Date: 07/25/2012 01:53 PM  
Subject: Re: BIA\_Kenosha Casino Hotel letter

---

Should that say June 11, 2012?

---

Shanna Horvatin  
Health & Physical Scientist  
NEPA Implementation Section (E-19J)  
Office of Enforcement and Compliance Assurance  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604  
(312) 886-7887  
(312) 582-5183 (fax)  
horvatin.shanna@epa.gov

---

Michael Leslie	On June 11, 2015, EPA designated a portion of...	07/25/2012 01:35:31 PM
----------------	--	------------------------

---

From: Michael Leslie/R5/USEPA/US  
To: Shanna Horvatin/R5/USEPA/US@EPA,  
Date: 07/25/2012 01:35 PM  
Subject: Re: BIA\_Kenosha Casino Hotel letter

---

On June 11, 2015, EPA designated a portion of Kenosha County as nonattainment for the 2008 8-hour ozone standard. This project is located in this area. As noted in appendix L of the FEIS, the mobile emissions associated with this project are included in the Southeastern Wisconsin Regional Planning Commission's (SEWRPC) 2007-2007 Transportation Improvement Program (TIP) and Regional System Plan (Plan) conformity determinations. BIA should verify that the planning assumptions FEIS are still valid. Specifically, BIA should ensure that that mobile source emissions associated with the preferred alternative is documented as being included in the current SEWRPC Transportation Demand Model and Transportation Conformity determination. If the traffic emissions are included in SEWRPC's transportation conformity determination, then they would not count towards the de-minimus calculation for General Conformity.

I will look at the mitigation measures in the FEIS

---

Michael Leslie, P.E.  
U.S. EPA - Region 5 (AR-18J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
Phone: (312) 353-6680  
Fax: (312) 408-2266

---

Shanna Horvatin	Mike, Here is the draft letter I began to compose...	07/25/2012 11:37:20 AM
-----------------	--	------------------------

---

From: Shanna Horvatin/R5/USEPA/US  
To: Michael Leslie/R5/USEPA/US@EPA,  
Date: 07/25/2012 11:37 AM  
Subject: BIA\_Kenosha Casino Hotel letter

---

Mike,


Here is the draft letter I began to compose. I put some filler language in for your comments, just as a place holder. Once I have your comments in detail, I will put an intro sentence or two in. Anyway, here is the (very early) draft letter.

---

Shanna Horvatin  
Health & Physical Scientist  
NEPA Implementation Section (E-19J)  
Office of Enforcement and Compliance Assurance  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604  
(312) 886-7887  
(312) 582-5183 (fax)  
horvatin.shanna@epa.gov

[attachment "BIA\_Kenosha Casino Hotel letter.doc" deleted by Michael Leslie/R5/USEPA/US]



Re: Casino Letter   
Michael Leslie to: Shanna Horvatin

07/30/2012 12:55 PM

For Question 2 - 2005-2007

For question 3 - From 5-8 of the FEIS

B. To the extent that equipment and technology are available and cost-effective, the Tribe shall encourage contractors to use catalyst and filtration technologies, such as a diesel oxidation catalyst (DOC), and retrofit existing engines in construction equipment. By adding these technologies to construction equipment, unburned fuel and oil would be oxidized to reduce overall emissions.

R5EPA response - DOCs are no longer a cost effective measure.

C. All diesel-fueled engines used in the construction of the project shall use low sulfur diesel fuel containing no more than 500-ppm sulfur or alternative fuels (i.e., reformulated fuels, emulsified fuels, compressed natural gas, or power with electrification). The use of low sulfur fuels will significant reductions in sulfur oxide and particulate matter emissions would be achieved.

R5EPA response - Diesel fuel for non-road construction equipment is currently at 15 ppm sulfur content. This mitigation measure is no longer valid.

D. All construction diesel engines, which have a rating of 50 hp or more, shall meet, at a minimum, the Tier 2 Emission Standards for Nonroad Diesel Engines as specified in 40 CFR Parts 9, 86, and 89 unless certified by the on-site AQCBM that such engine is not available for a particular item of equipment. In the event a Tier 2 engine is not available for any off-road engine larger than 50 hp, that engine shall be a Tier 1 engine. In the event a Tier 1 engine is not available for any off-road engine larger than 50 hp, then that engine shall be a 1996 or newer engine. The AQCBM may grant relief from this requirement for that engine if compliance with this requirement is not feasible.

R5EPA response - Tier values listed above are no longer valid. The current tier values for construction equipment can be found at <http://epa.gov/otaq/standards/nonroad/nonroadci.htm>.

---

Michael Leslie, P.E.  
U.S. EPA - Region 5 (AR-18J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
Phone: (312) 353-6680  
Fax: (312) 408-2266

---

Shanna Horvatin

Mike, As Ken was reviewing the letter a few que...

07/30/2012 12:03:15 PM

---

From: Shanna Horvatin/R5/USEPA/US  
To: Michael Leslie/R5/USEPA/US@EPA,  
Date: 07/30/2012 12:03 PM  
Subject: Re: Casino Letter

---

Mike,

As Ken was reviewing the letter a few questions came up.

1. Does EPA need to concur on the General Conformity determination prior to the ROD? Will you need to review the determination before the ROD is given?

2. In the paragraph you provided me there is an error with the dates,

" As noted in appendix L of the FEIS, the mobile emissions associated with this project are included in the Southeastern Wisconsin Regional Planning Commission's (SEWRPC) 2007-2007 Transportation Improvement Program (TIP) and Regional System Plan (Plan) conformity determinations. "

3. What are the specific concerns associated with the mitigation measures for AQ? A few examples would be helpful.

THANKS!

---

Shanna Horvatin  
Health & Physical Scientist  
NEPA Implementation Section (E-19J)  
Office of Enforcement and Compliance Assurance  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604  
(312) 886-7887  
(312) 582-5183 (fax)  
horvatin.shanna@epa.gov

---

Michael Leslie      sure ----- Mi...      07/30/2012 10:52:47 AM

From: Michael Leslie/R5/USEPA/US  
To: Shanna Horvatin/R5/USEPA/US@EPA,  
Date: 07/30/2012 10:52 AM  
Subject: Re: Casino Letter

---

sure

---

Michael Leslie, P.E.  
U.S. EPA - Region 5 (AR-18J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
Phone: (312) 353-6680  
Fax: (312) 408-2266

---

---

Shanna Horvatin      Are you OK if I just add that sentence you provid...      07/30/2012 10:51:09 AM

From: Shanna Horvatin/R5/USEPA/US  
To: Michael Leslie/R5/USEPA/US@EPA,  
Date: 07/30/2012 10:51 AM  
Subject: Re: Casino Letter

---

Are you OK if I just add that sentence you provided? Will that suffice?

---

Shanna Horvatin  
Health & Physical Scientist  
NEPA Implementation Section (E-19J)  
Office of Enforcement and Compliance Assurance  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604  
(312) 886-7887  
(312) 582-5183 (fax)  
horvatin.shanna@epa.gov

Michael Leslie

Shanna, the letter it looks good. Maybe you coul...

07/30/2012 10:47:57 AM

From: Michael Leslie/R5/USEPA/US  
To: Shanna Horvatin/R5/USEPA/US@EPA,  
Date: 07/30/2012 10:47 AM  
Subject: Re: Casino Letter

---

Shanna, the letter it looks good. Maybe you could add a sentence on AQ mitigation.

The mitigations measures listed in Section 5.2.4 are outdated. This section should be updated to reflect the implementation of the new federal standards for constructions equipment.

---

Michael Leslie, P.E.  
U.S. EPA - Region 5 (AR-18J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
Phone: (312) 353-6680  
Fax: (312) 408-2266

---

Shanna Horvatin

Mike, Just wondering if you have any additional...

07/30/2012 09:00:04 AM

From: Shanna Horvatin/R5/USEPA/US  
To: Michael Leslie/R5/USEPA/US@EPA,  
Date: 07/30/2012 09:00 AM  
Subject: Casino Letter

---

Mike,

Just wondering if you have any additional information to add or any edits on the latest version of the letter?

---

Shanna Horvatin  
Health & Physical Scientist  
NEPA Implementation Section (E-19J)  
Office of Enforcement and Compliance Assurance  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604  
(312) 886-7887  
(312) 582-5183 (fax)  
horvatin.shanna@epa.gov



Re: Menominee/Kenosha Casino FEIS

Michael Leslie to: Shanna Horvatin

07/17/2012 03:21 PM

History:

This message has been replied to.



LatestPlanningAssumptionguidance.pdf

see section 2.3

**§ 93.110 Criteria and procedures: Latest planning assumptions.**

(a) Except as provided in this paragraph, the conformity determination, with respect to all other applicable criteria in §§93.111 through 93.119, must be based upon the most recent planning assumptions in force at the time the conformity analysis begins. The conformity determination must satisfy the requirements of paragraphs (b) through (f) of this section using the planning assumptions available at the time the conformity analysis begins as determined through the interagency consultation process required in §93.105(c)(1)(i). The "time the conformity analysis begins" for a transportation plan or TIP determination is the point at which the MPO or other designated agency begins to model the impact of the proposed transportation plan or TIP on travel and/or emissions. New data that becomes available after an analysis begins is required to be used in the conformity determination only if a significant delay in the analysis has occurred, as determined through interagency consultation.

Michael Leslie, P.E.  
U.S. EPA - Region 5 (AR-18J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
Phone: (312) 353-6680  
Fax: (312) 408-2266

Shanna Horvatin

Mike, Please let me know when you have the ti...

07/17/2012 08:19:37 AM

From: Shanna Horvatin/R5/USEPA/US  
To: Michael Leslie/R5/USEPA/US@EPA,  
Date: 07/17/2012 08:19 AM  
Subject: Menominee/Kenosha Casino FEIS

Mike,

Please let me know when you have the time to discuss. Thanks.

Shanna Horvatin  
Health & Physical Scientist  
NEPA Implementation Section (E-19J)  
Office of Enforcement and Compliance Assurance  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604  
(312) 886-7887  
(312) 582-5183 (fax)  
horvatin.shanna@epa.gov



RE: Menominee/Kenosha Casino FEIS AQ comments  
John Meerscheidt

to:

Shanna Horvatin

08/21/2012 01:30 PM

Cc:

Michael Leslie, "Erin A. Quinn", "Doig, Scott"

Hide Details

From: John Meerscheidt <jmeerscheidt@analyticalcorp.com>

To: Shanna Horvatin/R5/USEPA/US@EPA,

Cc: Michael Leslie/R5/USEPA/US@EPA, "Erin A. Quinn" <equinn@analyticalcorp.com>, "Doig, Scott" <Scott.Doig@bia.gov>

Shanna,

Correct. Thank you!

I also invited Scott Doig to attend, but haven't received confirmation from him yet.

John

---

**From:** Shanna Horvatin [<mailto:Horvatin.Shanna@epamail.epa.gov>]

**Sent:** Tuesday, August 21, 2012 11:12 AM

**To:** John Meerscheidt

**Cc:** Michael Leslie

**Subject:** Menominee/Kenosha Casino FEIS AQ comments

John,

To confirm, we will call in at 11:00 a.m. CST on Thursday, August 23.

The call in information you provided it:

#877-848-7030

code: 4857896

---

Shanna Horvatin

Health & Physical Scientist

NEPA Implementation Section (E-19J)

Office of Enforcement and Compliance Assurance

U.S. EPA Region 5

77 West Jackson Blvd.

Chicago, Illinois 60604

(312) 886-7887

(312) 582-5183 (fax)

[horvatin.shanna@epa.gov](mailto:horvatin.shanna@epa.gov)

From: John Meerscheidt <jmeerscheidt@analyticalcorp.com>

To: Shanna Horvatin/R5/USEPA/US@EPA,

Date: 08/21/2012 12:50 PM

Subject: email address

JOHN MEERSCHIEDT

ANALYTICAL ENVIRONMENTAL SERVICES

senior project manager | [jmeerscheidt@analyticalcorp.com](mailto:jmeerscheidt@analyticalcorp.com)

1301 7th Street, Ste 100 | Sacramento, CA 95811

916.447.3479 | Fax 447.1665

[www.analyticalcorp.com](http://www.analyticalcorp.com)



RE: Menominee FEIS

Doig, Scott

to:

Shanna Horvatin

07/26/2012 07:44 AM

Cc:

Michael Leslie

Hide Details

From: "Doig, Scott" <Scott.Doig@bia.gov>

To: Shanna Horvatin/R5/USEPA/US@EPA,

Cc: Michael Leslie/R5/USEPA/US@EPA

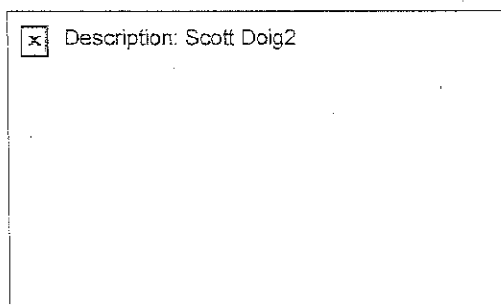
1 Attachment



Scott Doig2.vcf

Good Morning Shanna,

If you would like to give us a call at 612-725-4510 at 9:00 we will wait for your call. If you would like us to call at a certain number just let me know.



**From:** Shanna Horvatin [<mailto:Horvatin.Shanna@epamail.epa.gov>]

**Sent:** Wednesday, July 25, 2012 1:36 PM

**To:** Doig, Scott

**Cc:** Michael Leslie

**Subject:** RE: Menominee FEIS

Scott,

I am working on finalizing the comment letter for the FEIS. If you have the time, I would like to have a call between EPA and BIA to better explain the nature of our comments. While there are no major significant issues, we do have concerns that I would like to address. Myself and Mike Leslie, from EPA's Air and Radiation Department, are available tomorrow for a quick call. I just want to have a conversation as a courtesy to better explain and put our comment letter into context. The morning works best for us here. Please let me know what works for you.

Thanks.

---

Shanna Horvatin

Health & Physical Scientist  
NEPA Implementation Section (E-19J)

Office of Enforcement and Compliance Assurance  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604  
(312) 886-7887  
(312) 582-5183 (fax)  
[horvatin.shanna@epa.gov](mailto:horvatin.shanna@epa.gov)

From: "Doig, Scott" <[Scott.Doig@bia.gov](mailto:Scott.Doig@bia.gov)>  
To: Shanna Horvatin/R5/USEPA/US@EPA  
Date: 07/10/2012 10:49 AM  
Subject: RE: Menominee FEIS

---

Were you able to find the copy?

**From:** Shanna Horvatin [<mailto:Horvatin.Shanna@epamail.epa.gov>]  
**Sent:** Monday, July 02, 2012 2:20 PM  
**To:** Doig, Scott  
**Subject:** Re: Menominee FEIS

Ken is my supervisor. He would have passed it on to me if he had received it. I will follow up with him to see when it arrives.

Thanks.

---

Shanna Horvatin  
Health & Physical Scientist  
NEPA Implementation Section (E-19J)  
Office of Enforcement and Compliance Assurance  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604  
(312) 886-7887  
(312) 582-5183 (fax)  
[horvatin.shanna@epa.gov](mailto:horvatin.shanna@epa.gov)

From: "Doig, Scott" <[Scott.Doig@bia.gov](mailto:Scott.Doig@bia.gov)>  
To: Shanna Horvatin/R5/USEPA/US@EPA  
Date: 07/02/2012 01:30 PM  
Subject: Menominee FEIS

---

Casine /  
Munich FEIS Call w/  
BIA - Scott &  
consultants ①

AES { John Meerscheidt - PM  
Elin Gunn - AG specialist  
Mike Leslie -  
Scott

---

After DEIS in litigation - 2005 - Aug 2011

↓

looked at existing conditions

↳ update everything

MC- transp conformity

TIP every 2 yrs

• Conformity Planning around every 5 yrs

↓

SEWRPE

- trans. conformity related to Dog Pack

AES Mobile Source - included in gen conf.

↓

\* Assumptions included still consistent w/  
assumptions from 2005 that are still  
in Document (FEIS)